

THURSDAY, FEBRUARY 20, 1986

SEVENTY-FIRST LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Brother Johnny Young, New Johnsonville Church of Christ, New Johnsonville, Tennessee.

Representative Collier led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 96

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --96.

The Speaker announced that Representative Frensley was excused because of business.

Mr. Bivens moved that the rules be suspended for introduction of House Resolution No. 109, which motion prevailed.

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House Resolution No. 109--Relative to honoring Roosevelt Grier
--By Bivens and DeBerry.

Mr. Bivens moved that the rules be suspended for immediate consideration of House Resolution No. 109, which motion prevailed.

Mr. Bivens moved that House Resolution No. 109 be adopted, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --97.

A motion to reconsider was tabled.

RECESS

On motion of Mr. Bivens, the House recessed for presentation of House Resolution No. 109 to Mr. Grier.

Mr. Roosevelt Grier addressed the House.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.:

1417--To increase membership, University of Tennessee Board of Trustees; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

259--Relative to monies, restoration, certain natural resources; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Rhinehart moved that the rules be suspended for immediate consideration of Senate Joint Resolution No. 259, which motion prevailed.

Senate Joint Resolution No. 259--Relative to monies, restoration, certain natural resources.

Mr. Rhinehart moved that Senate Joint Resolution No. 259 be concurred in, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Collier, Copeland, Coyington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --94.

A motion to reconsider was tabled.

Ms. Pruitt moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 539 out of order, which motion prevailed.

House Joint Resolution No. 539--Relative to congratulating Capers Memorial C.M.E. Church, 154th anniversary--By Pruitt.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Ms. Pruitt, the resolution was adopted.

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A motion to reconsider was tabled.

Mr. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 536 out of order, which motion prevailed.

House Joint Resolution No. 536--Relative to expressing sorrow, death of Officer Terri Campbell--By Naifeh.

On motion, the rules were suspended for the immediate consideration of the resolution.

Mr. Naifeh moved that House Joint Resolution No. 536 be adopted, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolutions Nos. 536 and 539; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

CALENDAR

House Bill No. 1375--To regulate solid and hazardous waste.

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Mr. McNally moved that House Bill No. 1375 be passed on third and final consideration.

Mr. Hillis moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1375 by deleting the following language from Section 15 in its entirety:

Where the apportioned shares of the liable parties or some other equitable assessment among liable parties cannot practicably be determined, each party may be held liable for the total amount expended from the Remedial Action Fund.

On motion, the amendment was adopted.

Mr. McNally moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1375 by deleting in Section 19 (a) the words "the commissioner has reason to believe"

and further by deleting in Section 19 (c) the words

"or imprisonment of up to eleven (11) months and twenty-nine (29) days, or both"

and further by deleting in Section 19 (c) the words

"ten thousand dollars (\$10,000)" and substituting the words "one thousand dollars (\$1,000)"

On motion, the amendment was adopted.

Thereupon, House Bill No. 1375, as amended, passed its third and final consideration by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton),

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Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

House Bill No. 1238--To provide insurance benefits, certain employees.

On motion, House Bill No. 1238 was made to conform with Senate Bill No. 1193.

On motion, Senate Bill No. 1193, on same subject, was substituted for House Bill No. 1238.

Mr. Jones moved that Senate Bill No. 1193 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 1198--To amend Section 8-50-109, Code.

On motion, House Bill No. 1198 was made to conform with Senate Bill No. 1201.

On motion, Senate Bill No. 1201, on same subject, was substituted for House Bill No. 1198.

Mr. Wheeler moved that Senate Bill No. 1201 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes 94
Noes 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 1309--To make certain provisions, annual leave.

Mr. Cross moved that House Bill No. 1309 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hawkins, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 1445--To regulate conduct of elections, certain telephone cooperatives.

Mr. Buck moved that House Bill No. 1445 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1445 by deleting Section 1 in its entirety and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 65-29-111, is amended by adding a new subsection (g), as follows:

(g) In any cooperative providing service in five (5) or more counties, including a county containing and physically divided by a United States government Corps of Engineers dam and reservoir project of thirty-four thousand (34,000) acres, or more, and serving less than twenty thousand (20,000) subscribers as of the date of the passage of this act, all contested elections for members of the board of directors shall be held on voting machines and under the supervision of the election commission of the county specified by the by-laws of any such cooperative. Any election contest pursuant to this Act shall be filed and tried by the criminal court of the county where the election occurs.

Mr. Buck moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by adding at the end of the first sentence of the amendatory language of Section 1, as amended, the following:

organized under this act for such election to be held.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Thereupon, House Bill No. 1445, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C.

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(Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 1560--To provide for payment, certain funds, local education agencies.

Mr. Davis (Knox) moved that House Bill No. 1560 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work and Yelton--95.

A motion to reconsider was tabled.

Ms. Williams moved that House Bill No. 1393 be placed on the Calendar for Thursday, March 6, 1986, which motion prevailed.

House Bill No. 1331--To amend Section 67-6-322, Code.

Mr. Bragg moved that House Bill No. 1331 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1331 by deleting the words and figures "(c) (5)" in Section 1 and by substituting instead the words and figures "(c) (5) labor organizations".

On motion, the amendment was adopted.

Thereupon, House Bill No. 1331, as amended, passed its third and final consideration by the following vote:

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Ayes 78
Noes 16

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Drew, Ellis, Gaia, Garrett, Gill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Napier, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--78.

Representatives voting no were: Bewley, Chiles, Copeland, Davis (Knox), Duer, Gafford, Harrill, Hawkins, May, McAfee, McCroskey, Moody, Patterson, Peroulas, Swann and Tankersley--16.

A motion to reconsider was tabled.

House Bill No. 1358--To make certain provisions, judges' retirement.

Mr. Rhinehart moved that House Bill No. 1358 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1358 by adding between the words "any" and "Group III" in the first sentence of Section 4 the following:

Group I or

AND FURTHER AMEND BY deleting the last sentence in Section 4 and substituting the following instead:

If such election and transfer of service and applicable payment occurs within one-hundred-eighty (180) days of September 1, 1990, it shall be without interest. An election, transfer of service and payment occurring after one-hundred-eighty (180) days of September 1, 1990, shall include interest pursuant to Section 8-37-214.

AND FURTHER AMEND by deleting in Section 6 the following words from the last sentence:

"must occur within one-hundred and eighty (180) days of September 1, 1990 and"

AND FURTHER AMEND by deleting in Section 12 the words "completion of" and substituting the following instead:

the attainment of age fifty-five (55) with

On motion, the amendment was adopted.

Thereupon, House Bill No. 1358, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

Mr. Rhinehart moved that House Bill No. 1359 be placed on the Calendar for Thursday, March 6, 1986, which motion prevailed.

Mr. Rhinehart moved that House Bill No. 1313 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Ms. Montgomery moved that House Bill No. 1377 be placed on the Calendar for Monday, February 24, 1986, which motion prevailed.

House Bill No. 1204--To amend Section 39-3-1203, Code.

Mr. Kent moved that House Bill No. 1204 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared,

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Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 1201--To make certain provisions, hospital records.

Mr. Kent moved that House Bill No. 1201 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore, Murphy, Murray, Naifeh, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

Representative voting no was: Turner, L. (Shelby)--1.

A motion to reconsider was tabled.

Mr. Buck moved that House Bill No. 801 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 1401--To make provisions, prepaid dental benefit plans.

Mr. Scruggs moved that House Bill No. 1401 be passed on third and final consideration .

Mr. Starnes moved to amend as follows:

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AMENDMENT NO. 1

Amend House Bill No. 1401 by inserting between the first and second sentence of Section 1 the following:

The right of dentists to enter such plan as contracting providers shall be at the inception of the plan and at least at annual intervals thereafter.

On motion, the amendment was adopted.

Mr. Scruggs moved that House Bill No. 1401 be placed on the Calendar for Thursday, February 27, 1986, which motion prevailed.

Mr. Kent moved that House Resolution 103 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

CONSENT CALENDAR

House Bill No. 1427--To amend Sections 49-9-202 and 49-9-203, Code.

On motion, House Bill No. 1427 was made to conform with Senate Bill No. 1417.

On motion, Senate Bill No. 1417, on same subject, was substituted for House Bill No. 1427.

House Bill No. 1428--To make certain provisions, state building Commission.

On motion, House Bill No. 1428 was made to conform with Senate Bill No. 1554.

On motion, Senate Bill No. 1554, on same subject, was substituted for House Bill No. 1428.

House Bill No. 1866--To amend Charter, Athens.

House Bill No. 1402--To provide for Charter, Hornsby.

Senate Joint Resolution No. 243--Relative to congratulating Coach Jim Wilson and football team.

Senate Joint Resolution No. 244--Relative to honoring Bill Jarnagin.

Senate Joint Resolution No. 245--Relative to commending Frank Michael Bailey.

House Joint Resolution No. 529--Relative to honoring Martha Clarie Brown Olsen.

House Joint Resolution No. 530--Relative to honoring Representative John Bragg.

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House Joint Resolution No. 531--Relative to congratulating Vene Middle School basketball teams.

House Bill No. 1976--To amend Charter, Martin.

House Bill No. 1977--To amend Charter, Martin.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

250--Relative to honoring James A. Walsh;

251--Relative to sympathy, James A. O'Hara;

254--Relative to congratulating A.W.T. basketball team;

255--Relative to congratulating Elizabeth Ballou; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Turner, L. (Shelby) moved that the rules be suspended for immediate consideration of Senate Joint Resolution No. 254, which motion prevailed.

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Senate Joint Resolution No. 254--Relative to congratulating A.W.T. basketball team.

On motion of Mr. Turner, L. (Shelby), the resolution was concurred in.

A motion to reconsider was tabled.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 98

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 533--Relative to study, need for improved day care services--By Mr. Speaker McWherter and Naifeh.

The Speaker referred House Joint Resolution No. 533 to the Committee on General Welfare.

House Joint Resolution No. 535--Relative to honoring members of musical group, Destiny--By Crain and Dills.

Under the rules, House Joint Resolution No. 535 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILL

House Bill No. 1980--To amend Charter, Westmoreland--By Wix.

Passed first consideration.

HOUSE BILL ON SECOND CONSIDERATION

House Bill No. 1979--To enact Antitrust Improvements Act.

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Passed second consideration and referred to Committee on Commerce.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, February 24, 1986: House Bills Nos. 1325, 1512, 1587, 1588, 1713, 1468, 726, 1449 and 1172.

GILL, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1715--To regulate purchasing, Monroe County Board of Education; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.

498--Relative to honoring Karen Socha;

505--Relative to honoring Coach Clifford H. Ross;

506--Relative to honoring Mr. and Mrs. Fred S. Smith;

507--Relative to honoring Unicoi County High School football team;

508--Relative to honoring Happy Valley High School football team;

512--Relative to honoring Judge Rector Robinette;

513--Relative to honoring Karen Bonita Compton;

517--Relative to honoring Dr. Sam J. Albritton, D.D.D.;

532--Relative to honoring Danny Thomas;

536--Relative to sympathy, Officer Terri Campbell;

539--Relative to congratulating Reverend Emerson Jefferson, Jr.;

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all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1289--Wix

House Bill No. 1309--Turner (Hamilton)

House Bill No. 1331--Drew, Darnell

House Bill No. 1358--Brewer, Davidson

House Bill No. 1393--Darnell

House Bill No. 1401--Drew

House Bill No. 1815--Peroulas

House Joint Resolution No. 492--Naifeh

House Joint Resolution No. 529--Garrett

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The Officers of your committee on Calendar and Rules beg leave to report the we have met and set the following resolution on the Consent Calendar for Monday, February 24, 1986: House Joint Resolution No. 535.

GILL, Chairman.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1201, 1204, 1309, 1331, 1358, 1375, 1402, 1445, 1560, 1866, 1976 and 1977; and House Joint Resolutions Nos. 529, 530 and 531; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1248--To continue board of law examiners;

1249--To continue code commission;

1253--To continue medical board, consolidated retirement system;

1265--To continue appellate court nominating commission;

1268--To continue state textbook commission;

1269--To continue state law library commission;

1309--To regulate transfer, state employee's annual leave; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1028--To regulate compensation, election commission, certain counties; substituted for Senate Bill on same subject, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1214--To create office of county attorney, Campbell County.

The Senate lifted the tabling motion; reconsidered passage of the bill; adopted Senate Amendment No. 1; then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill

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No:

1310--To set mayor's salary, Pikeville.

The Senate lifted the tabling motion; reconsidered passage of the bill; adopted Senate Amendment No. 1; then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution No. 539; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Joint Resolution No. 539.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1400, 1655 and 1656; also, House Joint Resolutions Nos. 440, 524 and 539; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution No. 539; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

248--Relative to congratulating J. Kevin Ross;

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249--Relative to commending Commissioner Martha Olsen; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1146--To make certain provisions, grades and report cards;

1213--To regulate business tax, transient vendors;

1221--To make provisions, county community work projects;

1389--To regulate disposition, certain confiscated firearms;

1411--To amend Hotel Food Service Establishment and Public Swimming Pool Inspection Act;

1490--To regulate escheat, decedent's estates;

1506--To regulate court jurisdiction;

1508--To regulate acknowledgment, certain instruments;

1515--To set provisions, signature of notaries public;

1532--To regulate fees, certain court clerks;

1565--To regulate offense, carrying burglar's tools; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1400, 1655 and 1656; and House Joint Resolutions Nos. 440 and 524; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

On motion of Mr. Naifeh, the House adjourned until 5:00 p.m., Monday, February 24, 1986.